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112 West Center Street
Fayetteville, AR 72701

Paper No. 9

In re application of	:	
Matthew A. Waller et al.	:	
Application No. 09/735,041	:	DECISION ON REQUEST
Filed: December 11, 2000	:	FOR WITHDRAWAL OF
For: SYSTEM, METHOD AND ARTICLE OF	:	ATTORNEY
MANUFACTURE TO DETERMINE AND	:	
COMMUNICATE REDISTRIBUTED PRODUCT DEMAND	:	

This is a decision on the request filed on October 31, 2003 under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as an attorney of record in the above-identified application.

The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. Besides giving due notice to his or her client and delivering to the client all papers and property to which the client is entitled as specified under 37 CFR 10.40, approval of such a request requires that the following conditions be met:

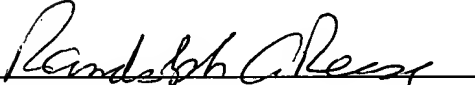
- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided; and
- C) If withdrawal is requested in accordance with 37 CFR 10.40(c) above, there must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date

of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

The request to withdraw as attorney of record is not accepted in the above-identified application because the request does not meet condition A).

The original power of attorney filed April 2, 2001 named Robert R. Keegan (Reg. No. 18,614), Trent C. Keisling (Reg. No. 36,565), Paul H. Johnson (Reg. No. 19,224), Mark K. Kachigian (Reg. No. 32,840), Martin G. Ozinga (Reg. No. 44,992) and Daniel S. Hodgins (Reg. No. 31,026). A request for withdrawal as attorney was filed on December 12, 2001 and a decision was mailed February 6, 2002 granting the request. In the request, Mr. Keegan signed on behalf of himself and authorized attorneys listed in Customer Nos. 24,118, 24,951 and 24,950. These Customer Nos. include Mr. Kachigian and Mr. Ozinga. The request for withdrawal as attorney filed October 31, 2003 is signed by Mr. Keisling on behalf of himself and attorneys associated with Customer No. 30,767; however, Customer No. 30,767 only lists Mr. Keisling. It is unclear as to the current status of Mr. Johnson and Mr. Hodgins.

SUMMARY: Request For Withdrawal of Attorney is **NOT APPROVED** .


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RAR/mjz: 4/12/04